

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JAKE WILLIAMS,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. C-06-437
	§	
CASTRO, <i>et al</i> ,	§	
	§	
Defendant.	§	

**ORDER DENYING WITHOUT PREJUDICE MOTION FOR
DEFAULT JUDGMENT**

Pending is plaintiff's motion for default judgment (D.E. 22). According to the docket sheet, summons forms were issued January 22, 2007 (D.E. 14-17), and served on February 5, 2007 (D.E. 25). Defendants' answer was due on March 22, 2007, and Heibel, Christensen, and Pena timely filed their answer on March 22, 2007 (D.E. 23). Defendant Nelson no longer works for TDCJ, and has not yet been individually served. As soon as the Attorney General submits his address under seal, a new summons form will be entered as to defendant Nelson and service will be attempted. Defendants are not in default. Fed. R. Civ. P. 55(a). Plaintiff's motion (D.E. 22) is denied without prejudice.

In plaintiff's advisory, he states he fears retaliation. Plaintiff states that the last docket entry he received was Instrument #21. That was the last entry on the docket sheet before plaintiff filed his motion for default judgment. It does not appear plaintiff's legal mail has been tampered

with. To the extent plaintiff is requesting any relief, the relief is denied. The Clerk shall mail to plaintiff a current copy of the docket sheet.

ORDERED this 3rd day of April, 2007.



B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE